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July 30, 2011

Hon. Kiyo A. Matsumoto  
United States District Judge  
United States District Court  
Eastern District of New York

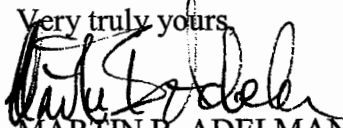
Re: UNITED STATES v. RICHARD FUSCO  
E.D.N.Y. Docket 11 cr. 00030 (KAM)

Dear Judge Matsumoto,

Mr. Fusco is to be before you for sentence on September 7<sup>th</sup>, 2012 and his pre-sentence memorandum is to be filed on July 31, 2012. We intend to present materials and argument as to his precarious medical state and to argue for a departure thereon, (and on other grounds as well).

Because a report from a physician treating him for his most critical medical problem remains outstanding, we are impelled to ask for a re-scheduling of dates. Specifically we request that the dates be moved back one month – so that the defense submission would be due on or before September 7<sup>th</sup>, 2012, with time for the Government and defense to submit additional material as the Court specifies, and the sentence date be re-scheduled for a date in October, at the Court's convenience.

This is the first request for an adjustment of dates in this matter and AUSA Elizabeth Geddes authorizes me to say that her office does not oppose the request.

Very truly yours,  
  
MARTIN B. ADELMAN

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Cc: by ECF  
AUSA Elizabeth Geddes

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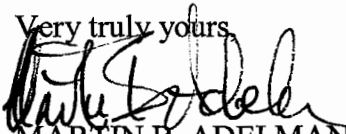
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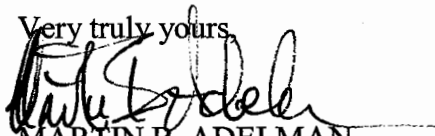
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